

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MICHAEL K. DuPONT

Petitioner

V.

CIVIL NO. 04-11431-GAO

DAVID NOLAN

Office of the Attorney General

Respondent

MOTION TO EXTEND TIME IN WHICH TO FILE
MEMORANDUM FOR THE PETITIONER

The petitioner, Michael Dupont, through counsel, respectfully requests that this Court allow a continuance from August 4, 2006 to and including August 11, 2006 in which to file his memorandum in support of the application for a writ of habeas corpus for the following reasons:

1. Counsel has forwarded a draft of the memorandum to the petitioner for his review and comments, because the petitioner filed this application pro se and has been litigating some of the issues presented in this application for several years. In response the petitioner has suggested additional material to include in the memorandum.

2. Although counsel has been provided with extensive documents in this matter, there is no brief that was submitted by the petitioner to the state Appeals Court. It is important that the relevant issues briefed and argued in the state appellate court be available for this Court. The assistant attorney general, Susan Reardon, has graciously offered to provide counsel with a copy of this brief from Westlaw.

Dated: August 1, 2006

MICHAEL K. DuPONT

By his attorney

/s/ Lois M. Lewis
Lois M. Lewis
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BBO # 298580

Certificate of Service

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on August 1, 2006

/s/ Lois Lewis
Lois Lewis